

ORIGINAL

BEFORE THE
Federal Communications Commission

WASHINGTON, D.C.

RECEIVED
NOV 22 1996
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of

Advanced Television Systems
and Their Impact Upon the
Existing Television Broadcast
Service

)
)
)
)
)

MM Docket No. 87-268

DOCKET FILE COPY ORIGINAL

To: The Commission

COMMENTS OF MACON URBAN MINISTRIES, INC.
d/b/a GOOD NEWS TELEVISION

MACON URBAN MINISTRIES, INC. d/b/a Good News Television, (hereinafter referred to as "GNTV"), licensee of WGNM(TV), Channel 64, Macon, Georgia, by counsel hereby respectfully submits these Comments on the Sixth Further Notice of Proposed Rulemaking, FCC 96-317, released August 14, 1996, ("NPRM"). Specifically, GNTV comments with respect to that portion of the NPRM in which the Commission sets forth a proposed Digital Television Table of Allotments ("DTV Table") and the potential migration of broadcasters occupying existing NTSC channels between Channels 60-69.

No. of Copies rec'd 0+4
List ABCDE

WHEREFORE, the following is stated:

1. GNTV is a Georgia nonprofit corporation which has operated WGNM(TV) since 1991. Prior to its initiation of a broadcast service in Macon, GNTV provided programming responsive to the Macon community by means of a cable television system serving greater Macon. That service, originating in 1974, continued unabated for 17 years prior to the sign-on of WGNM(TV). Given its record of cable television service and its current broadcast service taken in the aggregate, GNTV has amassed a record of providing local public service programming to the Macon area for over 22 years.

2. WGNM(TV) currently operates with an effective radiated power ("ERP") of 51.3 kilowatts with an antenna height of 185.0 meters Height Above Average Terrain ("HAAT"). Since GNTV first obtained its broadcast authorization from the Federal Communications Commission, the Commission's rules have allowed for UHF stations in GNTV's class to employ a maximum ERP of 5,000 kilowatts and a HAAT of 600 meters. In its business planning stages, GNTV and its supporters have reasonably relied on the expectation that they would, at the appropriate time, be able to expand the coverage area of WGNM(TV) to encompass the entire geographic region in which it enjoys protection against interference.

3. In accordance with its systematically developed business plan, GNTV will shortly be filing an application to move its antenna a short distance and to increase its height to approximately 300 meters HAAT. It also plans to increase its ERP to approximately 1200 kilowatts, thereby placing it at a greater parity with the existing UHF TV stations in the Macon market.

4. The DTV Table of Allotments proposed by the Commission in the NPRM would allow GNTV to operate over Channel 14 with an effective radiated power of 50 kilowatts at its current HAAT of 185.0 meters. Such an assignment, however, would be inadequate to provide service to the Macon community. See, Attachment 1, Statement of Louis R. du Treil, Sr., Registered Professional Engineer. Rather, a facility allowing GNTV to operate digitally at 500 kilowatts ERP with an HAAT of 300 meters would realistically accommodate for the existing facility and allow for reasonable future service enhancements as DTV becomes more viable. GNTV believes the current proposed DTV Table unreasonably restricts it from being able to provide a meaningful level of service to Macon as the growing population base of the area continues to expand and as community coverage requirements increase.

5. The planning factors utilized by the Commission in developing its proposed DTV Table need to be reassessed. See, Attachment 1. It is understood by GNTV that the Association of Federal Communications Consulting Engineers will be filing Comments that will more fully demonstrate the need for further review of the methodology employed by

the Commission in developing its DTV Table proposal. Given the complex nature and dramatic effect that the adoption of any plan proposing mandatory channel migrations will have on the television industry, the Commission should accord the highest priority to retaining sufficient flexibility in any DTV Table finally adopted so as to allow stations to improve their facilities and coverage areas. Additionally, GNTV further supports the standards for DTV established by the Grand Alliance since these standards represent the best practical system for free over-the-air television.

6. GNTV supports that portion of the NPRM proposing that existing broadcasters in the Channels 60-69 band be compensated for costs associated with migrating to DTV channels within the core of Channels 7-51. Appropriate precedent exists for such a compensation plan.¹ WGNM(TV) further believes that any proposal to reclaim the spectrum between Channels 60-69 must protect WGNM(TV) and other stations in the spectrum from any interference from new non-broadcast users or new DTV channels.

7. The exemplary nature of GNTV's local community service should be an additional factor to be considered as to any final DTV allocation for the spectrum currently occupied by WGNM(TV). It should be noted that GNTV is the only regular local, prime

¹ Redevelopment of Spectrum to Encourage Innovation in the Use of New Telecommunications Technologies, 8 FCC Rcd. 589 (1993).

time source of ethnic programming especially geared to the Macon community. Understandably, GNTV wants to continue to be able to provide and expand the reach of its unique, locally-produced ethnic programming. The public interest requires no less.

8. Approximately four hours of local Macon programming is provided every day by GNTV. A list of local programs being furnished currently by GNTV is attached herewith as Attachment 2, Letter of Donald R. Wood, General Manager of WGNM(TV). The local service commitment of GNTV to the Macon community reaches back over 20 years and presents a unique admixture of social interactions involving one-on-one ministering and traditional broadcast public service. For example, the video production services furnished by GNTV on a world-wide basis go to support the costs of operating WGNM(TV). This financial support allows GNTV to operate its Macon television station without having to rely on the station's viewership as a primary donor base. See, Attachment 2. GNTV's involvement with Macon's needy includes the production of videos for local children's homes, soup kitchens, groups that care for the homeless and educational organizations. Any DTV Table proposal that would so impair WGNM(TV)'s future growth as to hinder its very active community service commitment would clearly not be in the public interest. The proposed DTV assignment for GNTV would limit its ability to continue its expansion to achieve its full potential to serve middle Georgia and jeopardizes its ability to continue its tradition of building communication bridges in middle Georgia. See, Attachment 2.

9. GNTV has always programmed a significant amount of programming educational to children, broadcasting several hours of educational programming weekly to children. The programming schedule includes a variety of nationally syndicated educational programming such as Ten/29, News for Kids, Sunshine Factory, Captain Planet, Gerbert, Pick Your Brain and Kingdom Adventures and a locally produced educational program entitled My Turn Now, where local youth discuss life experiences, including volunteering and students being involved in local community service.


10. The public interest is served when the Commission encourages stations like WGNM(TV) to operate and provide quality educational programming to children. Furthermore, any overly restrictive power allotment would affect the financial viability of WGNM(TV) and hamstring its ability to actually convert to DTV, thereby adversely affecting the base of children's educational programming currently being broadcast to the Macon community.

11. The Commission also sought comment in its NPRM on whether its DTV proposal could affect emerging networks. WGNM(TV) is affiliated with the emerging United Paramount Network and is the only station broadcasting network programming other than the three major networks in Macon. The Commission's current DTV proposal will not allow for the increase of its coverage area, thereby affecting the continued viability of the UPN Network within the Macon community.

WHEREFORE, the foregoing Comments of Good News Television are submitted and the Commission is requested: 1) To review and reassess the methodology employed in its development of the DTV Table contained in the NPRM to allow for maximization of future digital television facilities for existing (NTSC) broadcasters, and; 2) To revise its proposed DTV Table with respect to the DTV facilities being proposed for existing Channel 64 (DTV Channel 14), Macon, Georgia. Specifically, the parameters for DTV Channel 14, Macon, Georgia, should be enhanced to an effective radiated power of 500 kilowatts and height above average terrain of 300 meters. GNTV supports the Commission proposal that appropriate compensation be provided any broadcaster forced to migrate from an existing channel to effectuate the DTV plan in order to accommodate a non-broadcast use and urges the Commission to ensure that, as to broadcasters presently situated in the Channels 60-69 range, adequate protection against interference be accorded as against any future (non-broadcast) use of this spectrum.

Respectfully Submitted,

MACON URBAN MINISTRIES, INC.
d/b/a GOOD NEWS TELEVISION

By: 
Robert G. Allen

Its Counsel

Allen & Harold, P.L.C.
Crestwood Professional Center
10610-A Crestwood Drive
P.O. Box 2126
Manassas, Virginia 20108
(703) 361-2278
November 22, 1996

ATTACHMENT 1

**ENGINEERING STATEMENT
OF
LEWIS R. du TREIL, Sr.**

ENGINEERING STATEMENT
PREPARED ON BEHALF OF
GOOD NEWS TELEVISION
MACON, GEORGIA

This Engineering Statement has been prepared on behalf of Good News Television, licensee of channel 64 television station WGNM Macon, Georgia. The Statement provides comments regarding the Sixth Further Notice of Proposed Rule Making, in *The Matter of Advanced Television Systems and Their Impact upon the Existing Television Broadcast Service*, MM Docket No. 87-268. The Sixth Further Notice was released on August 14, 1996, with comments due by November 22, 1996.

Station WGNM operates on channel 64 with effective radiated power (ERP) of 51.3 kilowatts and antenna height above average terrain (HAAT) of 185 meters. Current FCC rules permit operation on UHF channels employing maximum ERP of 5,000 kilowatts and HAAT of 600 meters. Although WGNM operates with facilities well below the maximum permitted, it has always been WGNM's intent to improve facilities as financial circumstances permitted. Even now, WGNM is working toward establishing new transmitting facilities which will result in construction of a new transmitter site and improvement to approximately 1,200 kilowatts (ERP) and 300 meters (HAAT).

In the table of allotments contained in the Sixth Further Notice, DTV operation is proposed for WGNM on channel 14, employing power of 50 kilowatts at the current antenna height of 185 meters. Good News Television believes the power level assigned is inadequate to provide service to Macon and vicinity, especially in light of the planned improvement of the WGNM facilities now underway. Although WGNM would not immediately employ such a facility, ERP of 500 kilowatts and HAAT of 300 meters would accommodate the existing and proposed facility and allow for future improvement as DTV becomes a viable service.

It is believed that some of the planning factors used in preparing the allocation table are in need of revision. It is understood that the Association of Federal Communications Consulting Engineers will be filing comments which show this need. As these important factors are the backbone of any allotment plan, adoption of more realistic factors, which permit use of lower ERP's will certainly allow for changes in the table of allotments which should accommodate WGNM's request for greater facilities.

Any proposed table of allotments should remain flexible to accommodate requests for improved facilities.

Good News Television supports the standards for DTV established by the Grand Alliance. These standards

represent the best practical system for free off-the-air television service.

A handwritten signature in cursive script, reading "Louis R. du Treil". The signature is written in dark ink and is positioned above the typed name and address.

Louis R. du Treil, Sr.
du Treil, Lundin & Rackley, Inc.
240 N. Washington Blvd., Suite 700
Sarasota, FL 34236-5929
(941) 366-2611

November 21, 1996

ATTACHMENT 2

**LETTER
OF
DONALD R. WOOD, GENERAL MANAGER
WGNM(TV), CHANNEL 64, MACON, GEORGIA**

GOOD NEWS TELEVISION

WGNM(TV)

P.O. BOX 2637

2525 Beach Avenue

Macon, Georgia 31204

Voice: 912-745-2366

Fax: 912-745-2367

November 21, 1996

**Federal Communications Commission
1919 M Street, NW
Washington, DC 20554**

To Whom It May Concern:

Macon Urban Ministries - WGNM-TV 64 has been on a steady growth plan since its inception in 1974 as a local access cable television station. WGNM-TV and its predecessor Good News Television have been focused on bringing a strong community presence to television in middle Georgia.

Macon Urban Ministries was started in 1972 as a ministry to transients in the Macon area by the Macon District of the United Methodist Church. Beginning in the fall of 1974 Macon Urban Ministries took on the task of developing a cable television channel on the new cable system being built in Macon, supplying one half hour of local programming each day. In 1976 Macon Urban Ministries redirected its main focus to the television ministry in Macon. This included the move to studio space in a downtown office building and a substantial expansion of local, community-based programming. In 1977 the studio was upgraded to color and additional staff was added to develop additional local and syndicated programming. This ongoing development of the local program schedule continued over the next four years until the present schedule of fifteen hours per day of programming was developed. Of this, approximately four hours every day is local Macon programming.

While the local side of the ministry was growing, the development of a television production ministry was undertaken that provided production services to a variety of church organizations across the Southeast. One of our goals was to not have to use Channel 64 itself as a fund raising source. So, the production part of the ministry continued to grow to the point where it became a significant source of income for the overall ministry and helped underwrite the Macon television operation.

This dual approach has enabled us to help the religious community in Macon to talk with itself about beliefs and directions. Additionally, we have been able to provide for a number of years Macon's only ethnic programming and still are the only source of the ethnic needs of our community of prime time local ethnic programming in Macon.

WGNM-TV 64 is currently producing the following local programming:

- Good News - This program has been produced and aired five days a week Monday through Friday since 1976. Good News continues to share life stories of middle Georgians. Good News also tells the stories of middle Georgia community service organizations. It provides a forum for focusing on the needs of our community.
- My Turn Now - A weekly program that provides a venue for youth to discuss life experiences. It features on-location segments, contemporary music, and vignettes.
- Art with a Capital A - Provides a weekly open forum for the arts in middle Georgia. The Air Force Band, the Navy steel drum band, blues, a new writer, sculptures, painters, chefs, and a variety of other artists are featured each week on Art with a Capital A.
- 64 Sports - WGNM-TV believes that local sports play a significant role in the development of the community. With so many things pulling apart the fabric of the community, WGNM-TV has worked at providing local sports programming to serve as a positive focus.
- Macon Braves Baseball - WGNM-TV has for the past five years produced twenty to twenty-five games per year of the Macon Braves "A" farm team. The games are recorded at historic Luther Williams Ballpark in downtown Macon.
- Pick of Middle Dixie Football - Each week during high school football season WGNM-TV produces a high school football game of the week between two middle Georgia area teams.
- Middle Georgia College Basketball - Over the past five years WGNM-TV has produced and aired Mercer University, Macon College, and Wesleyan College basketball games.
- Agape Rock - We produce a daily live program featuring contemporary Christian music videos with requests from

callers for specific videos.

- 64 Country - Daily between 7:00 and 9:00 AM this program brings a mix of the latest in Country Music video and information about what is going on in middle Georgia. With a mix of talk, announcements, guests and music, this is the place that many middle Georgians learn what is happening in their community.
- WGNM-TV provides a ready avenue for many public service announcements about the happenings in our community.

In addition to the programs that we produce locally, WGNM-TV airs each week eighteen programs produced by local church groups. WGNM-TV has continued to take a pro-active role in finding and airing the very best in children's programming. Each week in an attempt to better inform our community about Robins Air Force Base, which is Macon's largest employer and a major influence in every aspect of our community, we broadcast the Robins Report.

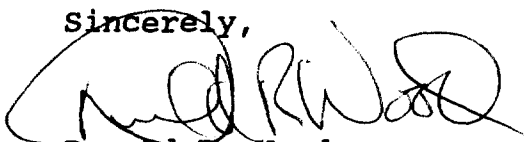
In its role as a production facility, GNTV has produced videos around the world to help tell the stories of helping ministries. The production expertise that GNTV employs worldwide is also used in the local Macon community as we produce videos for local children's homes, for soup kitchens, groups that care for the homeless, and educational programs.

WGNM-TV last year added to its program mix the United Paramount Network programming.

We are now in the process of getting ready to take the next step in our ongoing plan of growth. We are in the final stages of securing a site on which we hope to erect our own tower. This step, when approved by the proper authorities, will allow us to raise our antenna by almost three hundred feet. Our next plan is to secure authority to increase our power. Just as we have for the past twenty-five years, we plan to continue to serve our community and to constantly expand the level of service we can provide.

The proposed assignment for DTV limits WGNM-TV in its ability to continue its expansion to achieve its full potential to serve middle Georgia and jeopardizes its ability to continue its tradition of building communications bridges in middle Georgia.

Sincerely,



Donald R. Wood
General Manager